



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable E. L. Wright, Superintendent  
Texas School for the Deaf  
Austin, Texas

Dear Sir:

Opinion No. O-3653

Re: Necessity of advance statement from the Attorney General that a proposed out-of-state trip by the superintendent of an eleemosynary institution is State business directly connected with the institution.

We have your letter of June 7, 1941, as follows:

"There is to be held in Fulton, Missouri, June 23-27, the Convention of the American Instructors of the Deaf, and at the same time a meeting of the Conference of the Executives of the Schools for the Deaf of America, of which this school is a member and which committee meets every two years for the purpose of fixing the standards and certification of teachers. As head of this school I am a member of this committee. It is my understanding that the Board of Control has ruled that they cannot approve my request to attend this convention whereby I will receive traveling expenses when applied for until I have presented a statement from the Attorney General that the proposed trip is State business directly connected with this institution.

"The rider Traveling Expenses in the Eleemosynary Appropriation Bill--the law is very plain and I would appreciate very much your giving me the requested statement by return mail, so that this matter may be cleared up."

Your inquiry is answered by our Opinion No. O-2220 addressed to Honorable Charles W. Castner, Chief Eleemosynary

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Division of the Board of Control, Austin, Texas, wherein we said: "You are therefore advised that by virtue of the provisions of the eleemosynary bill above quoted, ('Superintendents' trips shall be as authorized by the Board of Control.') it is not necessary that advance opinion of the Attorney General, that such a trip is on state's business, be obtained in respect to out-of-state trips by superintendents of the eleemosynary institutions of this state. On the contrary, this act contemplates that the Board of Control, rather than the Attorney General, shall give its advance written consent to the making of such an out-of-state trip." We further said: "It is, of course, not the intention of this opinion to express the view that the Board of Control may authorize trips by superintendents of eleemosynary institutions, except where those trips are on state's business. We hold merely that the advance written approval of this department to the making of such a trip is not required, but that the advance written consent of the State Board of Control is required."

We hand you herewith a copy of Opinion O-2220.

Trusting that this will be a satisfactory answer to your inquiry, we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

APPROVED JUN 14, 1941

*Hoover Allen*  
FIRST ASSISTANT  
ATTORNEY GENERAL

By

*Osie Speer*  
Osie Speer,  
Assistant

OS:LM

ENCLOSURE

